

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

STEPHEN KERSHNAR,

Plaintiff,

23-cv-525

-VS-

STEPHEN H. KOLISON, JR., in his individual
capacity and his official capacity as the President
of the State University of New York at Fredonia, and

DAVID STARRETT, in his individual capacity and
official capacity as Executive Vice President and
Provost of the State University of New York at
Fredonia,

Defendants.

DEFENDANTS' FIRST AMENDED EXHIBIT LIST

LETITIA JAMES
Attorney General of the State of New York
JENNIFER METZGER KIMURA
ALYSSA JORDAN PANTZER
CHRISTOPHER L. BOYD
Assistant Attorneys General, of Counsel
350 Main Street, Suite 300A
Buffalo, NY 14202

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK**

EXHIBIT LIST

Case No.: 23-cv-525

() Plaintiff

Date: September 28, 2023

(X) Defendants

Exhibit No.	Description	Marked for Identification	In Evidence
1	Chief Brent Isaacson's Declaration plus attached exhibits A-F		
2	Interim Chief Charles Holder's Declaration plus attached exhibit A		
3	February 22, 2022, Case Report Detail involving Brian Boisvert		
4	February 7, 2022, Email from Chief Isaacson to Plaintiff regarding safety threats made to Plaintiff		
5	February 4, 2022, Email from Scott Martin to Soteris Tzitzis (copying Chief Isaacson) requesting that the panic button be repaired and that this was a high priority		
6	February 3, 2022, Email from Wayne Michael, waynemichael76@gmail.com, to President Office inbox conveying threat		
7	February 2, 2022, Email from Jennifer Kellner, apexkellner@icloud.com, to President Office inbox conveying threat		
8	February 3, 2022, Email from Alanna Shores, Alannashores@gmail.com, to President Office inbox conveying threat		
9	February 3, 2022, Email from Garrett "G" Adams, garrett.adams.sales@gmail.com, to Admissions Office inbox conveying threat		
10	February 2, 2022, Email from Rebecca Moran, rmoran511@hotmail.com, to Admissions Office inbox conveying threat		
11	February 2, 2022, Email from Bette Korn, bk1144@aol.com, to Admissions Office inbox conveying threat		

12	February 2, 2022, Email from Jeff Greco, jgrecoconstr@aol.com, to Admissions Office inbox conveying threat		
13	February 2, 2022, Email from TD, troyderengowski61@gmail.com, to Admissions Office inbox conveying threat		
14	February 2, 2022, Change.org petition where student says she does not feel safe		
15	Compilation of threatening emails pulled from Plaintiff's SUNY Fredonia email account, created by Plaintiff		
16	Compilation of social media and tweet responses collected by Chief Brent Isaacson		
17	February 3, 2022, Email from Mike Villano, michaelvillano@att.net, to Plaintiff conveying threat		
18	February 2, 2022, Email from scotter0123@gmail.com, to Plaintiff conveying threat		
19	February 2, 2022, Email from Chris Beauvais, csjb1@msn.com, to Plaintiff conveying threat		
20	February 2, 2022, Email from Kassandra Cotton, cotton.kassandra@ymail.com, to Plaintiff conveying threat		
21	February 2, 2022, Email from Mondrone King, mondroneking@gmail.com, to Plaintiff conveying threat		
22	February 2, 2022, Email from Leslie Garcia, leliegarcia93@outlook.com, to Plaintiff conveying threat		
23	February 4, 2022, Email from Hamish McGregor, mrhamish.mcgregor@gmail.com, to Plaintiff conveying threat		
24	February 4, 2022, Email from STOVE 5014, vzombiekilled@gmail.com, to Plaintiff conveying threat		
25	February 2, 2022, Email from John Waszewski, jwaszewski1960@gmail.com, to Plaintiff conveying threat		
26	On or about February 7, 2022, voicemail from (415) 261-8494, conveying threat stating "He's a Jew and a parasitic animal." Provided on flash drive.		
27	On or about February 7, 2022, voicemail from (615) 649-1604, to Registrar's Office conveying threat stating "Punch the President in the fucking face" and "We're coming for you." Provided on flash drive.		

28	On or about February 7, 2022, telephone call to the University Police Department's Commissioner's Office in Albany, conveying threat stating "I feel like driving there myself and killing him." Provided on flash drive.		
29	On or about February 4, 2022, telephone call to the University Police Department in Fredonia from David Debrienza, conveying threat stating that he "will make his presence known." Provided on flash drive.		
30	On or about February 2, 2022, telephone call to the Office of University Life in Albany from Randall Harnden, conveying threat stating "We need to stop institutions like you." Provided on flash drive.		
31	February 2, 2022, telephone call to Fredonia's University Police Department, conveying threat stating "I've got thousands of followers on social media" and "We're not going to stop." Provided on flash drive.		
32	February 2, 2022, voicemail left by a caller with number (860) 235-5154, conveying threat stating "You sons of bitches better fucking do something about it." Provided on flash drive.		
33	September 20, 2022, Threat Assessment Report by A1C Partners, LLC		
34	April 8, 2022, Social Media Assessment by AMI Aware		
35	January 4, 2023, Memorandum by Chief Brent Isaacson documenting unsolicited telephone call from FBI Special Agent Chard Artip regarding threatening communications		
36	EDSCOOP Article: Technology may not stop a school shooting from happening, but it can still help by Emily Tate, June 8, 2018		
37	NY Times Opinion: Spying On Children Won't Keep Them Safe		
38	Spectrum News Article: Lockport City Schools to install first-of-its-kind security system by Alex Haight, May 22, 2018		
39	Verified Petition: <i>James Schultz and Renee Cheatham v. New York State Education Dep't</i> , filed June 22, 2020		
40	Webpage: About Us – Corporate Screening and Investigative Group, LLC		
41	Compilation of July 2023 Twitter Posts		
42	Compilation of September 2023 Twitter Posts		

43	Compilation of Comments on New York Times Article Referenced in Paragraph 28 of J.A. “Tony” Olivo’s Expert Report		
44	Declaration of Richard Denholm II (Dkt. 57)		
45	New York State Office of Information Technology Services Report: Use of Biometric Identifying Technology in Schools		
46	Academe Blog: Threats, Hate Speech, and the Wisconsin Distortion by John K. Wilson, January 17, 2021		
47	Press Release by the American Council of Trustees and Alumni: Professors Abuse Academic Freedom, December 18, 2006		
48	FIRE: Special issue: Academic speech – Protected or perilous? John K. Wilson, “How suspensions violate academic freedom’, March 1, 2022		
49	Inside Higher Ed: Is Gun Violence Scaring Off International Students by Liam Knox, April 10, 2023		
50	Reuters: Beheading of teacher exposes secular divide in French classrooms by Caroline Pailliez, October 22, 2020		
51	New York Times: A Professor’s Killing Sends a Chill Through a Campus in Pakistan by Ben Farmer, September 17, 2019		
52	AAUP: Statement on Professional Ethics		
53	University of California: Office of the General Counsel Legal Advisory, California Supreme Court holds that Colleges have a Legal Duty to Protect Students from Foreseeable Violence During Curricular Activities, June 1, 2018		
54	AAUP: The Danger of Campus Bans on Bullying, by John K. Wilson, 2019		
55	J.A. “Tony” Olivo Facebook Page		
56	SUNY Fredonia Webpage – Geographical and Statistical Information		
57	The Guardian: Suspect charted in hate-motivated stabbing in Canada university gender issues class, June 29, 2023		
58	CNN: Death threats are forcing professors off campus, December 28, 2017		
59	The Boston Globe: ‘I feared for my life’: Professor responds to Middlebury protests, March 6, 2017		
60	New York Times: UChicago Course on Whiteness Sparks Debate Over Free Speech and Cyberbullying, July 3, 2023		

DATED: September 28, 2023
Buffalo, New York

LETITIA JAMES
Attorney General of the State of New York
Attorneys for Defendants

BY: s/ Jennifer Metzger Kimura
JENNIFER METZGER KIMURA
ALYSSA PANTZER JORDAN
CHRISTOPHER L. BOYD
Assistant Attorneys General of Counsel
Main Place Tower
350 Main Street, Suite 300A
Buffalo, New York 14202
(716) 853-8477
Jennifer.Kimura@ag.ny.gov
Alyssa.Pantzer@ag.ny.gov
Christopher.Boyd@ag.ny.gov